

REMARKS

The amendment of claim 1 presented January 29, 2001, is repeated above for reconsideration because it so clearly makes the application allowable that entry should be permitted without the expense of re-filing. Such entry is permitted under 37 CFR 1.116 (b).

Prior to the above amendment claim 1 required the volume of an extinguishing medium source to be the volume of a long tube at least to a substantial extent. Against this, the final action applied the Applicant's prior patent disclosing a volume from four accumulators and some tubing. Merely by way of example, such disclosure might be 90% accumulator volume and 10% tubing volume, wherein 10% was considered a "substantial extent" because not insubstantial.

This way of viewing "substantial extent" is understandable, but not what was intended. "Substantial extent" was intended to mean a substantial majority. Therefore, "consists essentially of" was substituted to require the opposite, majority meaning of "substantial extent" originally intended. Claim 1 now clearly requires a substantial majority of the volume to be from the tubing. This clearly distinguishes over the Applicant's prior patent having the four accumulators shown in Fig. 1, for example, to have volumes substantially exceeding the tubing.

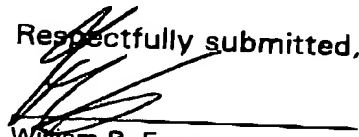
"The proposed amendment should be given sufficient consideration to determine whether the claims are in condition for allowance...." MPEP 714.13.

The proposed amendment is needed for allowance and could not be presented sooner, because the meaning of the previously claimed "substantial extent" as not insubstantial apparently applied in the Actions could not previously be separated from the alternate, intended meaning of majority now supplied by "consists essentially of". This is good and sufficient compliance with 37 CFR 1.116(b).

Reconsideration and allowance are, therefore, requested.

A marked up copy of the claim amendment is attached.

Respectfully submitted,


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1. (twice amended) A fire fighting apparatus comprising a plurality of spray heads (5a to 5e, 6a to 6e; 5a', 5b' to 5e'), a tube system (2, 3a to 3e, 4a to 4e; 2', 3a', 3e') for leading extinguishing medium from an extinguishing medium source having a volume for the extinguishing medium to the spray heads, at least one drive gas source (9 to 12; 9' to 12') for driving the extinguishing medium at a high pressure via the tube system to the spray heads and release means (8a, 8b) for activating at least one of the spray heads, characterized in that ~~said~~the at least one drive gas source (9 to 12; 9' to 12') is coupled to a long tube (2; 2') constituting part of the tube system in such a way that the long tube together with ~~said~~the at least one drive gas source constitutes a hydraulic accumulator and the volume of the source of extinguishing medium is constituted by the source consists essentially of a volume of the long tube at least to a substantial extent.